

Serial No. 10/728,801
Filed: December 8, 2003

REMARKS/ARGUMENTS

Reconsideration of the above application in view of the above amendments and the below remarks is requested.

In the Office Action, the Patent Office rejected claims 4 to 6, 8 to 15 and 17 to 19 under 35 U.S.C. § 102(b) as allegedly being anticipated by Nagahara et al. (EP 1 164 435 A1). This rejection is traversed.

Applicants point out that the Nagahara et al. document is the same document to which the present application, as well as the parent US patent application, Serial No. 09/806,852, claimed foreign priority, through a PCT International Application, PCT/JP99/05498. See applicants' Declaration and Power of Attorney for Patent Application filed in the instant application. See the front page of Nagahara et al. document (enclosed as Exhibit A) where the International application number (PCT/JP99/05498) and International publication number (WO 00/20927) are circled. For reference, a copy of the front page of WO 00/20927 is also enclosed as Exhibit B.

Applicants note that the parent US patent application was a National Stage patent application from the PCT International Application and was incorporated by reference into the present application.

Given the above, applicants are of the opinion that the rejection under 35 U.S.C. § 102(b) of Nagahara et al. (EP 1 164 435 A1) is not proper and should be withdrawn.

The Patent Office also rejected claims 4 to 6, 8 to 15 and 17 to 19 under 35 U.S.C. § 102(e) as allegedly being anticipated by Nagahara et al. (US 2003/0113657). The

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Patent Office states that Nagahara et al. has an earlier effective filing date. The Patent Office does not identify the effective filing date of Nagahara et al. Applicants point out that Nagahara et al. (US 2003/0113657 A1) has issued as United States Patent No. 6,902,875.

Applicants note that the present application claims priority to an earlier US patent application, serial no. 09/806,852, having a filing date of June 18, 2001.

Thus, applicants are of the opinion that Nagahara et al. (US 2003/0113657 A1) is not a proper document to reject the present application.


Applicants submit that the concerns of the Patent Office have been addressed. Withdrawal of the rejections and issuance of a Notice of Allowance is respectfully solicited.

Respectfully submitted,



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(11) **EP 1 164 435 A1**

(12)

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(54) **PHOTOSENSITIVE POLYSILAZANE COMPOSITION AND METHOD OF FORMING
 PATTERNED POLYSILAZANE FILM**

(57) A photosensitive polysilazane which may be used as a positive-tone photoresist, and a method of forming a patterned polysilazane film by use of such a composition are provided. The photosensitive polysilazane composition of the invention is characterized by comprising a polysilazane, particularly polymethylsilazane or polyphenylsilazane, and an optically acid-generating agent. The patterned polysilazane film is obtained by exposing a coating of the photosensitive polysilazane composition of the invention to light in a pattern and dissolving off the exposed portion.

EXHIBIT A

Fig.2A



Fig.2B

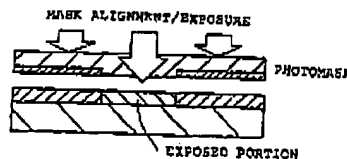


Fig.2C

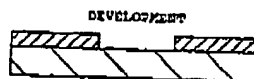


Fig.2D



PCT

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特許協力条約に基づいて公開された国際出願



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(54) Title: PHOTSENSITIVE POLYSILAZANE COMPOSITION AND METHOD OF FORMING PATTERNED POLYSILAZANE FILM

(54) 発明の名称 感光性ポリシラザン組成物及びパターン化されたポリシラザン膜の形成方法

(57) Abstract

A photosensitive polysilazane composition which is usable as a positive resist; and a method of forming a patterned polysilazane film from the composition. The composition is characterized by comprising a polysilazane, especially polymethylsilazane or polyphenylsilazane, and a photo-acid generator. A coating film of the photosensitive polysilazane composition is pattern-wise irradiated with light. The irradiated part is dissolved away to obtain a patterned polysilazane film.

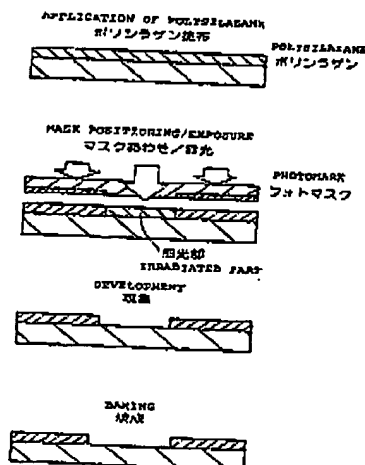


EXHIBIT B

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